

REMARKS

The Examiner is thanked for the clarity and conciseness of the Office Action and for the citation of the references which have been studied with interest and care.

Applicants have amended claims 1, 3, 7, and 15 to more clearly show the novelty of Applicants' invention. No new subject matter has been added. Accordingly, claims 1-20 are pending in the present application. Reconsideration of the application, as amended, is hereby requested.

35 U.S.C. § 102 REJECTIONS

Claims 1-13 and 15 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,796,952, issued to Davis et al. (hereinafter "Davis").

Applicants have amended independent claims 1, 7, and 15 to more clearly show an inventive aspect of Applicants' invention. Amended independent claims 1 and 15 now recite, in combination with other elements, "a triggering agent to discern the user information obtained by the collecting agent and determining whether the user information is significant". Amended independent claim 7 recites, in combination with other operations, "determining whether the user information is significant". If the triggering agent or program determines that the user information or data collected by the collecting agent is not important, the content provider will instruct the agent to collect further information. (Specification, pg. 11, lines 5-8). If the triggering program determines that the user information or data is significant, the munging agent will assimilate the user information into a user specific data base. (Specification, pg. 11, lines 9-24).

Davis discloses a method and apparatus for monitoring client use of a resource downloaded from a server on a computer network, for storing monitored data, for creating a database of client profiles, and for generating customized resources based on client profiles. As disclosed in Davis, a tracking program is embedded in a file which is downloaded from a server to a client. (Davis, col. 4, lines 38-40). The tracking program runs on the client to monitor events such as elapsed time, mouse events, keyboard events, and the like, to track the user's interaction with and use of a downloaded file. The tracking program also monitors the amount of data downloaded by the client. However, Davis does not specifically disclose a triggering agent which discerns the user information or data gathered by the tracking program and determines whether the user information or data is significant.

Accordingly, Applicants respectfully submit that amended independent claims 1, 7, and 15 are patentable over Davis. Furthermore, since claims 2-6 depend from independent claim 1 and claims 8-13 depend from independent claim 7, Applicants respectfully submit that these claims are also patentable over Davis for the same reasons stated above.

35 U.S.C. § 103 REJECTIONS

Claims 14 and 16-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of U.S. Patent No. 5,794,210, issued to Goldhaber et al. (hereinafter "Goldhaber").

Applicants have amended independent claims 14 and 15 to more clearly show the novelty of Applicants' invention. Amended independent claims 14 and 15 now recite, in combination with other elements, "a triggering agent for discerning the

user information obtained by the collecting agent and determining whether the user information is significant".

As described above, Davis discloses a method and apparatus for monitoring client use of a resource downloaded from a server on a computer network, for storing monitored data, for creating a database of client profiles, and for generating customized resources based on client profiles. However, Davis fails to disclose or suggest a triggering agent which discerns the user information or data gathered by the tracking program and determines whether the user information or data is significant.

Goldhaber discloses a system for delivering positively and negatively priced intellectual property (including advertising). (Goldhaber, col. 1, lines 4-7). The Goldhaber system maintains personal profiles of users and releases or sells these personal profiles to potential advertisers. (Goldhaber, col. 13, lines 34-55). However, similar to Davis, Goldhaber fails to specifically disclose or suggest a triggering program or agent which discerns user information and determines whether the user information is significant, as disclosed in the current invention.

In short, the combination of Davis and Goldhaber fails to disclose or suggest a triggering agent which discerns collected user information and determines whether the user information is significant. Accordingly, Applicants respectfully submit that the current invention as claimed in independent claims 14 and 15 IS patentable over both Davis and Goldhaber. Furthermore, since claims 16-20 depend from independent claims 14, Applicants respectfully submit that these claims are also patentable over Davis and Goldhaber for the same reasons stated above.

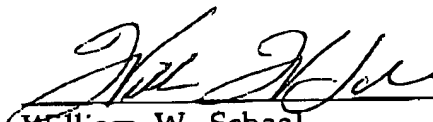
CONCLUSION

In view of the foregoing, it is believed that all Claims now pending patentably define the subject invention over the prior art of record. Thus Applicants respectfully submit that all pending claims are in condition for allowance and such action is earnestly solicited at the earliest possible date.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP


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William W. Schaal
Reg. No. 39,018

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
(714) 557-3800

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Pat Sullivan 4/28/99
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